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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,745	11/10/2006	Tatsuo Makii	276973US6PCT	3402
22850 7590 10/15/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HASAN, MOHAMMED A	
			ART UNIT 2873	PAPER NUMBER
			NOTIFICATION DATE 10/15/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

## Office Action Summary

Application No.

10/549,745

Applicant(s)

MAKII ET AL.

Examiner

Mohammed Hasan

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7 and 8 is/are rejected.
- 7) ☒ Claim(s) 3 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/20/07, 12/26/06, 9/21/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Priority***

1. Receipt of acknowledged of papers submitted under 35 U.S.C. 119 (a) – (d), which papers have placed in the file.

***Oath/Declaration***

2. Oath and declaration filed on 9/21/2005 is accepted.

***Information Disclosure Statement***

3. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 3/20/2007, 12/26/2006, and 9/21/2005 have all been considered and made of record (note the attached copy of form PTO – 1449).

***Specification***

4. The disclosure is objected to because of the following informalities: "Abstract" need to be one paragraph and less than 150 words.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,4,5,7,and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toda et (4,534,624) in view of Miki (7,236,316 B2).

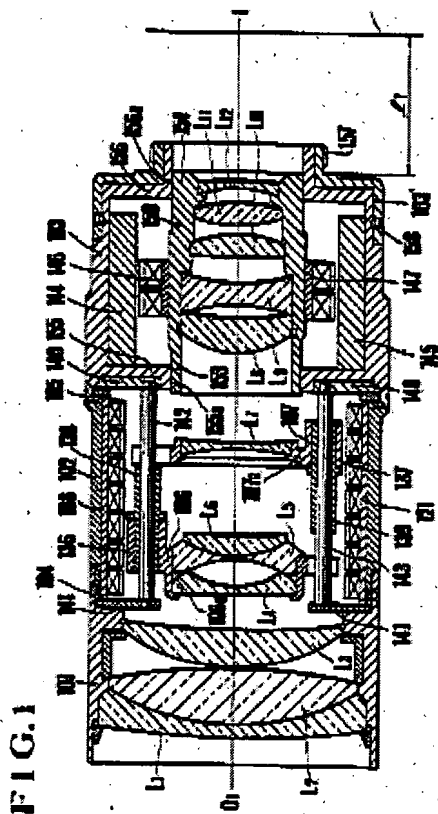
Regarding claim 1,Toda et al discloses (refer to figure 1) a lens holder (106) comprising: a holding member that holds lenses; a guide shaft (142) that supports the holding member when the holding member is moved along the optical axis of the lenses (L4,L5 and L6) (column 4, lines 1-5,lines 60-65).

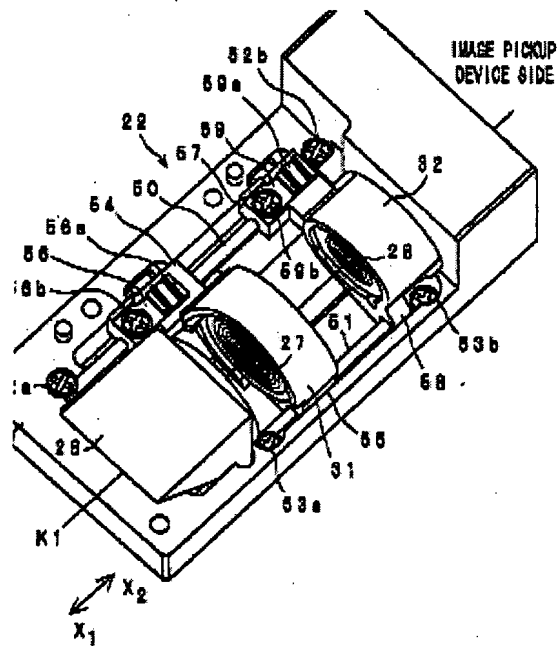
Toda et al discloses all of the claimed limitations except a base perpendicularly to which the guide shaft is locked; a first bearing member that is molded as an integral part of the base in order to bear the end of the guide shaft distal to the base; and a second bearing member that when the first bearing member bears the end of the guide shaft distal to the base, bears the end of the guide shaft proximal to the base .

However, Miki discloses (refer to figure 5) optical base 33 and a pair of bearing portion 61a and 61b and the lens holder 31 including bearing portion 54 which is fitted to and guided by the main guide shaft 50 (column 7, lines 18-40).

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It would have been obvious to one of ordinary skill in the art at the time invention was made to provide first and second bearing an optical base in to the Toda a lens holder for the purpose of a lens holder never departs from the guide shaft as taught by Miki et (column 3, lines 30-32).





Regarding claim 2, Miki discloses wherein the first bearing member (54) comprises a bearing that is disposed to bear the end of the guide shaft (50) distal to the base, and a support that links the base and the bearing (column 7, lines 18-40)

Regarding claim 4, Miki discloses, wherein the second bearing member is screwed to the base and thus locked in the base (as shown in figure 5).

Regarding claim 5, Miki discloses, wherein the second bearing (61a and 61b) member also serves as a mounting member for use in mounting a part on the side of the base (33) opposite to the side thereof on which the guide shaft is mounted (as shown in figure 5).

Regarding claim 7. Toda et al discloses, lens barrel (102) including the lens holder set forth (column 4, lines 1-5, lines 60-65).

Regarding claim 8, Toda et al discloses, an imaging apparatus comprising: a lens barrel an imaging device (159) that converts an image, which is picked up through the lenses incorporated in the lens barrel, into an electrical signal (as shown in figure 5).

***Allowable Subject Matter***

6. Claims 3 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: wherein the second bearing member is rotated by one or less turn with the guide shaft as a center while bearing the end of the guide shaft proximal to the base, and is thus locked in the base and, wherein the second bearing member is molded as an integral part of the base.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed Hasan whose telephone number is (571) 272-2331. The examiner can normally be reached on M-TH, 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky L Mack can be reached on (571) 272- 2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MH  
October 9, 2007

*M. Hasan*  
Mohammed Hasan  
Examiner, Au-2873